

Senate File 301 - Introduced

SENATE FILE _____
BY HOGG, DANIELSON, and
DOTZLER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the Iowa utilities board to establish rules
2 applicable to merchant power plants providing for energy
3 conservation, energy efficiency, renewable energy, and
4 research and technology development requirements comparable to
5 those applying to utilities regulated by the board, and
6 providing effective and applicability dates.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 TLSB 2611XS 82
9 rn/je/5

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1 1 Section 1. NEW SECTION. 476.1E APPLICABILITY OF
1 2 AUTHORITY == MERCHANT POWER PLANTS.
1 3 1. For purposes of this section, "merchant power plant"
1 4 means a power plant which generates electricity for sale in
1 5 the open wholesale power market which is not subject to rate
1 6 regulation pursuant to this chapter.
1 7 2. Unless otherwise specifically provided by statute, a
1 8 merchant power plant furnishing electricity is not subject to
1 9 regulation by the board under this chapter, except for
1 10 regulatory action pertaining to:
1 11 a. Encouragement of alternate energy production
1 12 facilities, as set forth in sections 476.41 through 476.45.
1 13 b. Assessment of fees for the support of the Iowa energy
1 14 center created in section 266.39C and the center for global
1 15 and regional environmental research created by the state board
1 16 of regents.
1 17 c. Filing energy efficiency plans and energy efficiency
1 18 results with the board, as set forth in section 476.6,
1 19 subsection 16.
1 20 d. Filing alternate energy purchase program plans with the
1 21 board, and offering such programs to customers, pursuant to
1 22 section 476.47.
1 23 3. The board may waive all or part of the energy
1 24 efficiency filing and review requirements for merchant power
1 25 plants demonstrating superior results with existing energy
1 26 efficiency efforts.
1 27 4. The board shall adopt rules prescribing regulatory
1 28 standards and implementation procedures relating to
1 29 application of the requirements set forth in subsection 2.
1 30 Sec. 2. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.
1 31 This Act, being deemed of immediate importance, takes effect
1 32 upon enactment and is retroactively applicable to merchant
1 33 power plants constructed in this state on or after January 1,
1 34 2007.

EXPLANATION

2 1 This bill applies existing requirements relating to
2 2 specified energy programs, requirements, and funds applicable
2 3 to regulated utilities pursuant to Code chapter 476 to
2 4 merchant power plants. The bill defines a merchant power
2 5 plant as a power plant which generates electricity for sale in
2 6 the open wholesale power market and not subject to rate
2 7 regulation.
2 8 The bill provides that unless otherwise specifically
2 9 provided by statute a merchant power plant furnishing
2 10 electricity is not subject to regulation by the Iowa utilities
2 11 board pursuant to Code chapter 476, except for specified
2 12 provisions of that chapter. The bill makes applicable to
2 13 merchant power plants provisions relating to encouragement of
2 14 alternate energy production facilities pursuant to Code
2 15 sections 476.41 through 476.45, assessment of fees for the

2 16 support of the Iowa energy center created in Code section
2 17 266.39C and the center for global and regional environmental
2 18 research created by the state board of regents, filing energy
2 19 efficiency plans and energy efficiency results with the board
2 20 pursuant to Code section 476.6, and filing alternate energy
2 21 purchase program plans with the board and offering such
2 22 programs to customers pursuant to Code section 476.47.
2 23 The bill provides that the board may waive all or part of
2 24 the energy efficiency filing and review requirements for
2 25 merchant power plants demonstrating superior results with
2 26 existing energy efficiency efforts, and that the board shall
2 27 adopt rules prescribing regulatory standards and
2 28 implementation procedures relating to application of the
2 29 specified requirements.
2 30 The bill takes effect upon enactment and is retroactively
2 31 applicable to merchant power plants constructed in this state
2 32 on or after January 1, 2007.
2 33 LSB 2611XS 82
2 34 rn:nh/je/5